

REMARKS

Claims 1-24, 38-41, 46-49, 60 and 61 are pending. By this Amendment, the title is amended, FIGS. 3, 6, and 12 are replaced to improve form and provide improved correlation with the disclosure and/or claims, claims 50-59 are canceled without prejudice to or disclaimer of the subject matter contained therein, and claims 1, 3, 8, 12, 13, 18, 20, 38, 41, 46, 48, and 60 are amended. No new matter is added.

FIG. 3 is replaced to correct a misspelling of SPARE. FIG. 6 is replaced to delete a redundant description. FIG. 12 is replaced to correct a misspelling of CONDITION. Support for the amendments to claims 1, 12, 38, and 46 is found in at least paragraphs [0036], [0037], [0043] and/or [0047] of the Specification. Claims 3, 8, 13, 18, 20, 41, 48, and 60 are amended to improve the form thereof.

For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103:

On pages 2-7 of the Office Action, claims 1-3, 7-14, 19-24, 38-41, 46-58, 60, and 61 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ohata et al., (U.S. Patent 6,469,978), in view of Lin, (U.S. Patent 7,000,152). The rejection of canceled claims 50-58 is moot. As to the remaining claims, the rejection is respectfully traversed.

It is respectfully submitted that none of Ohata, Lin, or their combination, disclose or suggest a write once disc including a lead-in zone, a data area, and a lead-out zone, the disc comprising a predetermined area storing area allocation information that indicates whether at least one section of the data area is allocated for disc defect management, wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area (DMA), as recited in claim 1.

Also, none of Ohata, Lin, or their combination, disclose or suggest a method of managing a data area of a write once disc, comprising recording area allocation information, which indicates whether the at least one section of the data area is allocated for disc defect management, in a predetermined area of the disc, wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), as

recited in claim 12.

Also, none of Ohata, Lin, or their combination, disclose or suggest a method of reproducing data from a write once disc, comprising obtaining the area allocation information, wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area (DMA), as recited in claim 38.

Also, none of Ohata, Lin, or their combination, disclose or suggest a write once disc with at least one record layer, comprising at least one predetermined area which stores area allocation information, which indicates whether at least one section of the at least one data area is allocated for disc defect management, wherein the at least one predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area (DMA), as recited in claim 46.

Regarding claims 1, 12, 38, and 46, it is acknowledged on pages 2-3 of the Office Action that Ohata fails to disclose a write once disc. However, Lin is presented as disclosing a write once disc in column 7, lines 23-26. The Applicants respectfully disagree.

Lin discloses that a "re-writable disk medium 102 is embodied as a re-writable DVD in the illustrated embodiment" (see, for example, col. 4, lines 31-32 of Lin). In column 7, lines 23-26 of Lin, it is disclosed that "[the] re-writable DVD 102 can further include an embossed area 116 containing read-only data which can identify the type of media, for example DVD-RAM, DVD-ROM, or DVD-R." (emphasis added) (see also, FIG. 2 of Lin). As such, the embossed area 116 cannot be written to, and is not disclosed as being writable even once. Accordingly, Lin does not disclose a write once disc, but a re-writable disk 102 having an embossed area 116. The embossed area 116 contains data that is used for indicating different media types. Such media types of Lin include DVD-RAM, DVD-ROM, or DVD-R, which perhaps may be recorded in the re-writable disk 102 of Lin for the benefit of reading devices that can read DVD-RAM, DVD-ROM, or DVD-R formats. Nevertheless, it is clear from the explicit disclosure in Lin that the disk 102 is re-writable and is not a write once disc. Lacking a write once disc, none of Ohata, Lin, or their combination, disclose or suggest the write once disc, a method of managing a data area of the write once disc, or a method of reproducing data from the write once disc.

Further, both Ohata and Lin, being directed re-writable disks, lack a temporary defect management area (TDMA).

Consequently, Ohata, Lin, or their combination fails to disclose or suggest each and every feature of claims 1, 12, 38, and 46. Thus, claims 1, 12, 38, and 46 are patentably distinguishable over the applied references and their combination.

Additionally, claims 2, 3, and 7-11, which depend from claim 1, claims 13, 14, and 19-24, which depend from claim 12, claims 39-41, 60, and 61, which depend from claim 38, and claims 47-49, which depend from claim 46, are likewise patentably distinguishable over the applied references and their combination for at least the reasons discussed above, and for the additional features they recite. For example, both Ohata and Lin, being directed re-writable disks, lack a temporary disc defect structure (TDDS) area, a temporary defect list (TDFL) area of claims 3, 20, 41, and 48.

For all of the above stated reasons, withdrawal of the rejection is respectfully requested.

On pages 7-8 of the Office Action, claims 4-6, 15-18, and 59 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ohata and Lin, as applied to claims 1-3, 7-14, 19-24, 38-41, 46-58, 60, and 61 as above, and further in view of Gotoh et al. (U.S. Patent 6,581,167). The rejection of canceled claim 59 is moot. As to the remaining claims, the rejection is respectfully traversed.

As discussed above, Ohata, Lin, or their combination fails to disclose or suggest each and every feature of claim 1, from which claims 4-6 depend, and each and every feature of claim 12, from which claims 15-18 depend. Gotoh fails to overcome the deficiencies of Ohata, Lin, or their combination because Gotoh also fails to disclose or suggest a write once disc, or changing the predetermined sizes of the first, second, and third areas. Instead, Gotoh discloses an information recording medium that is disclosed as any type of rewritable optical disk such as a DVD-RAM (see, for example, col. 10, lines 56-61 and 62-67, and FIG. 1 of Gotoh).

Accordingly, claims 4-6, and claims 15-18 are patentably distinguishable over the applied references and their combination for at least their dependence from their respective independent claims, and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS:

The attached drawing(s) include changes to FIGS. 3, 6, and 12. The sheets containing FIGS. 3, 6, and 12 replace the original sheets including FIGS. 3, 6, and 12. In FIG. 3, a misspelling of SPARE is corrected. In FIG. 6, redundant description is deleted. In FIG. 12, a misspelling of CONDITION is corrected.

Approval of these changes to the Drawings is respectfully requested.